

State of Alaska FY2005 Governor's Operating Budget

Department of Law Criminal Appeals/Special Litigation Component Component Budget Summary

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Component: Criminal Appeals/Special Litigation Component

Contribution to Department's Mission

This component contributes to the Department's mission by prosecuting and convicting criminal offenders in specialized areas of the law, and by upholding those convictions on appeal.

Core Services

(A) The Office of Special Prosecutions and Appeals (OSPA) represents the state in all felony appellate proceedings challenging convictions obtained in the trial courts, and handles most state and federal post-conviction and habeas corpus proceedings. These post-trial procedures are constitutionally required; when convicted criminals file such actions the state must respond. Without these functions, the efforts of criminal justice agencies to detect and punish crime through investigation, trial, and conviction would be nullified.

(B) OSPA prosecutes economic and other complex crimes. In addition to filing criminal charges and conducting criminal trials, this office also gives day-to-day advice to special "white collar" investigation units. These prosecution services protect private investors, small businesses, and government agencies that are the victims of fraud or other wrongdoing. OSPA also handles civil litigation challenging statutes related to criminal justice, such as sex offender registration and DNA databank.

(C) OSPA prosecutes environmental crimes through a reimbursable services agreement with the Department of Environmental Conservation. These prosecution services protect the state's air and water quality by providing advice and assistance to state environmental investigators and by prosecuting appropriate criminal cases.

(D) OSPA prosecutes welfare cheaters through a reimbursable services agreement with the Department of Health and Social Services. These prosecution services protect the state's welfare system.

(E) OSPA prosecutes medical providers who cheat the Medicaid system, through a federal grant and matching state general funds. The unit can institute criminal prosecution for fraud or civil actions for overpayments. In addition, the unit is responsible for investigating and prosecuting abuse of patients in Medicaid-funded facilities.

(F) OSPA prosecutes selected fish and game cases, that are significant or have statewide importance. Funding is provided by the Fish and Game Fund.

(G) OSPA prosecutes criminal child support enforcement matters through a reimbursable services agreement from the Department of Revenue.

(H) OSPA prosecutes bootlegging and alcohol interdiction cases in Anchorage, Bethel, Nome and Kotzebue, and provides legal advice during investigations. Funding is through a reimbursable services agreement with Department of Public Safety, through a federal grant.

FY2005 Resources Allocated to Achieve Results

FY2005 Component Budget: \$3,312,100	Personnel:	
	Full time	32
	Part time	1
	Total	33

Key Component Challenges

See Key RDU challenges.

Significant Changes in Results to be Delivered in FY2005

See Results at RDU level.

Major Component Accomplishments in 2003

See Accomplishments at RDU level.

Statutory and Regulatory Authority

AS 44.23.020

Contact Information
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Criminal Appeals/Special Litigation Component Component Financial Summary

All dollars shown in thousands

	FY2003 Actuals	FY2004 Authorized	FY2005 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	2,009.9	2,363.8	2,801.8
72000 Travel	44.8	83.4	84.4
73000 Contractual	185.8	309.4	334.4
74000 Supplies	44.4	55.0	60.5
75000 Equipment	2.5	18.0	31.0
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	2,287.4	2,829.6	3,312.1
Funding Sources:			
1002 Federal Receipts	351.0	499.3	520.7
1003 General Fund Match	117.0	158.6	165.7
1004 General Fund Receipts	1,329.2	1,412.2	1,832.1
1007 Inter-Agency Receipts	419.8	629.4	658.4
1134 Fish and Game Criminal Fines and Penalties	70.4	130.1	135.2
Funding Totals	2,287.4	2,829.6	3,312.1

Estimated Revenue Collections

Description	Master Revenue Account	FY2003 Actuals	FY2004 Authorized	FY2005 Governor
Unrestricted Revenues				
Unrestricted Fund	68515	0.8	0.0	0.0
Unrestricted Total		0.8	0.0	0.0
Restricted Revenues				
Federal Receipts	51010	351.0	499.3	520.7
Interagency Receipts	51015	419.8	629.4	658.4
Fish and Game Fund	51045	70.4	130.1	135.2
Restricted Total		841.2	1,258.8	1,314.3
Total Estimated Revenues		842.0	1,258.8	1,314.3

**Summary of Component Budget Changes
From FY2004 Authorized to FY2005 Governor**

All dollars shown in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2004 Authorized	1,570.8	499.3	759.5	2,829.6
Adjustments which will continue current level of service:				
-PCN 03-1167 from Criminal Justice Litigation ADN# 0340129	94.4	0.0	0.0	94.4
-Changes to Retirement and Other Personal Services Rates	96.2	21.4	34.1	151.7
Proposed budget increases:				
-1 Misdemeanor Appeals Attorney, 1 Post Conviction Relief Attorney	236.4	0.0	0.0	236.4
FY2005 Governor	1,997.8	520.7	793.6	3,312.1

**Criminal Appeals/Special Litigation Component
Personal Services Information**

Authorized Positions			Personal Services Costs	
	<u>FY2004</u> <u>Authorized</u>	<u>FY2005</u> <u>Governor</u>		
Full-time	30	32	Annual Salaries	2,137,906
Part-time	2	1	Premium Pay	0
Nonpermanent	0	0	Annual Benefits	807,773
			<i>Less 4.88% Vacancy Factor</i>	(143,879)
			Lump Sum Premium Pay	0
Totals	32	33	Total Personal Services	2,801,800

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Administrative Clerk III	1	0	0	0	1
Attorney III	3	0	0	0	3
Attorney IV	9	0	0	0	9
Attorney V	7	1	0	0	8
Attorney VI	0	0	1	0	1
Internal Auditor IV	1	0	0	0	1
Investigator II	1	0	0	0	1
Investigator III	3	0	0	0	3
Law Office Assistant I	4	0	0	0	4
Law Office Assistant II	1	0	0	0	1
Paralegal II	1	0	0	0	1
Totals	31	1	1	0	33